

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

* * *
Case No. 2:16-cr-00062-LRH-GWF
ORDER

11 v.

12 HAKIM BRANCHE-JONES,
13 DARRIN WILDER,
14 ALISHA PEREZ,
ALBERT JONES, and
ELIZABETH PEREZ,

Defendants.

17 On June 19, 2017, the court conditionally granted defendant Darrin Wilder's motion to
18 sever (ECF No. 65) defendant Alisha Perez.¹ ECF No. 138. This was due primarily because, as
19 the court discussed, the government's introduction of Perez's post-*Miranda* statements to the
jury during a joint-trial would violate the Sixth Amendment Confrontation Clause. *See Bruton v.*
20 *U.S.*, 391 U.S. 123 (1968). The court therefore ordered the government to file a statement of
21 intent regarding whether it intended to introduce these statements. On July 10, 2017, the
22 Government filed a Notice of Intent to Introduce the Statements made by Perez. ECF No. 142.
23 The Government further indicated to the court that it no longer opposed severing Perez from the
24 joint trial. *Id.*

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28 ¹ This case also involves a defendant named Elizabeth Perez. However, this motion does not implicate her and "Perez" solely refers to defendant Alisha Perez.

1 To date, no party has indicated a change in position regarding the severance of Perez.
2 Further, as this case is now set for trial, which should not be continued without the timely and
3 strongest showing of cause and a full hearing, it is imperative that Perez be fully severed from
4 the joint trial and her own trial date be set at this time.

5 As the court sees no reason to alter its prior Order conditionally granting severance, it
6 hereby ORDERS Wilder's motion to sever (ECF No. 65) is **GRANTED in part** as to the
7 severance of Alisha Perez. The court's prior Order (ECF No. 138) as to the other rulings remains
8 in effect. The Clerk of Court is directed to sever this defendant from the joint trial.

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10 IT IS SO ORDERED.

11 DATED this 20th day of February, 2019.

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13 LARRY R. HICKS
14 UNITED STATES DISTRICT JUDGE
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